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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,237	09/17/2003	Yu-Chuan Lin	9758-US-PA	3283

31561 7590 06/18/2007
JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE
7 FLOOR-1, NO. 100
ROOSEVELT ROAD, SECTION 2
TAIPEI, 100
TAIWAN

EXAMINER

DUVERNE, JEAN F

ART UNIT	PAPER NUMBER
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2839

NOTIFICATION DATE	DELIVERY MODE
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06/18/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USA@JCIPGROUP.COM.TW

Office Action Summary	Application No.		Applicant(s)	
	10/605,237		LIN ET AL.	
	Examiner		Art Unit	
	Jean F. Duverne		2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/17/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

In view of Applicant's arguments, the Examiner has decided to issue a non-final office action to how the housing or body with memory device explicitly disclosed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 is rejected under 35 U.S.C. 102(b) as being anticipated by DE patent 202 11 121 U1).

DE patent device discloses an interface apparatus with a rotational mechanism at 23 or see claim 26 for connecting with an interface port at 21 in an electronic product, the interface apparatus comprising; a body at comprising a memory module (see abstract); a connector for connecting an interface port; and a rotational mechanism at for linking the body and the connector. Furthermore the term “for” with the accompanied terms as recited in the claims are considered as functional limitations and does not add any patentability to claims limitations because it's narrative in form. In order to be given patentable weight, a functional limitation must be expressed as a “means” for performing the specified function, as set forth in 35 USC 112, 6th paragraph, and must be supported by recitation in the claim of sufficient structure to warrant the presence of the functional language. In re Fuller, 1929 C. D. 172; 388 O.G. 279.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-6, 8, 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE patent 202 11 121 U1) in vie of Stout et al (US006612874B1).

In regard to claim 2-3, DE device discloses the aforementioned limitations, but fails to explicitly disclose the memory module being volatile or the use of the USB interface. Stout's device discloses the use of volatile memory or the use of the USB interface. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the non-volatile memory module or the USB interface in order not to save the information when the power is turn off or to allow connection of different peripherals to the memory device using hubs in DE device.

In regard to claim 4, DE and Stout's devices disclose the aforementioned limitations, but fails to disclose the connector having IEEE 1394. It would have been obvious to one having ordinary skill at the time the invention was made to have connector design in accordance to IEEE 1394, since it has been held to be within the general skill of worker in the art to select known material on the basis of its suitability for the intended use as matter of obvious design choice. In re Leshin, 125 USPQ 416. It

would have been obvious to one having ordinary skill at the time the invention was made to have connector design in accordance to IEEE 1934 in order to meet the system specification and design in DE device.

In regard to claims 5-6, 8, 10-13, DE and Stout's devices disclose the aforementioned limitations, but fails to explicitly disclose the exact number of degrees of freedom of movement in the rotation which is an inherent feature. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a number of degrees of freedom of movement in the rotation, since it has been held that discovering an optimum value of result effective variable involves only routine skill in the art. IN re Boesch, 617 F2d 272, 205 USPQ 215 (CCPA 1980). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a specific number of degrees of freedom of movement in the rotation in order to meet the system design and requirement.

Conclusion

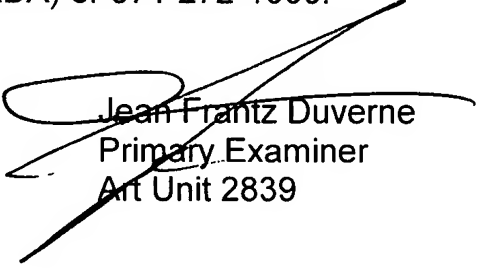
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean F. Duverne whose telephone number is (571) 272-2091. The examiner can normally be reached on 9:00-7:30, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TC Patel can be reached on (571) 272-2098. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JFD

06/10/2007



Jean-Franz Duverne
Primary Examiner
Art Unit 2839